

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

16 JUL -8 AM 11:34

PLAINTIFF,

CLERK-ALBUQUERQUE

lmn

v.

CIV. NO. 16-314 KMB/KK

431 PIECES OF COUNTERFEIT NATIVE
AMERICAN JEWELRY,

DEFENDANT-IN-REM

ISMAIL MOMENI'S NOTICE OF CLAIM FOR PROPERTY

ISMAIL MOMENI, through undersigned counsel, submits this Verified Claim for the property listed in the Verified Complaint for Forfeiture Against Property in the above-captioned case.

1. Mr. Momeni's claim is with regard to 431 Pieces of alleged Counterfeit Native American Jewelry (herein referred to as "Defendant Property") identified in Paragraph 2(a) in the Verified Complaint in the above-captioned matter.¹
2. Mr. Momeni is the President of Kuchi Gallery, Inc., which does business as Momeni Gallery in Santa Fe, New Mexico. Mr. Momeni is a real party in interest in the Defendant Property.
3. The Defendant Property was seized from Momeni Gallery.
4. Mr. Momeni has a property interest in the Defendant Property.

¹ The government identifies 840 pieces in its Verified Complaint. Upon information and belief, the government has returned slightly more than half of those pieces and the remaining forfeiture action is for 431 pieces. Mr. Momeni is making a claim for the remaining pieces in the government's possession that are the subject of any forfeiture action.

Respectfully submitted,

/s/ Molly Schmidt-Nowara
Molly Schmidt-Nowara
Garcia Ives Nowara
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CERTIFICATE OF SERVICE

I hereby certify the Verified Claim and attached Declaration by Ismail Momeni were filed with the Clerk, United States District Court for the District of New Mexico, 333 Lomas Blvd. NW, Albuquerque NM 87102 and copies thereof was sent by certified mail to Stephen R. Kotz, Assistant United States Attorney, P.O. Box 607 Albuquerque NM 87103.

Signed by:

/s/ Molly Schmidt-Nowara


28 U.S.C. SECTION 1746 DECLARATION

I am Ismail Momeni. I have read the contents of the Claim for Property to which this Declaration is attached. The statements contained in the Claim are true to the best of my knowledge and belief.

I declare under penalty of perjury and the laws of the United States of America that this Declaration is true and correct.

Dated: 7/8/16

Signed by:



Ismail Momeni